



House of Representatives

General Assembly

File No. 140

February Session, 2002

House Bill No. 5541

House of Representatives, March 25, 2002

The Committee on Transportation reported through REP. COCCO of the 127th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING CATTLE CROSSINGS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. (NEW) (*Effective October 1, 2002*) (a) The traffic authority,
2 as defined in section 14-297 of the general statutes, shall have power to
3 designate, by appropriate devices or markers or by lines upon the
4 surface of the highway, such crossing paths and intersections as, in its
5 opinion, constitute an especial danger to guided cattle or other
6 livestock crossing the highway including, but not limited to, specially
7 marked crossing paths in the vicinity of farms which shall have
8 distinctive markings, in accordance with the regulations of the State
9 Traffic Commission, to denote use of such crossing paths by guided
10 cattle or other livestock.

11 (b) Persons guiding cattle or other livestock across the highway
12 shall yield the right-of-way to any authorized emergency vehicle, as
13 defined in section 14-1 of the general statutes, approaching such
14 person and emitting any audible signal or displaying or making any

15 visual signal reasonably indicating that such vehicle is being operated
16 in an emergency situation. Nothing in this subsection shall be
17 construed to relieve the driver of such an authorized emergency
18 vehicle from any duty to drive with due regard for the safety of all
19 persons using the highway or from the duty to exercise due care to
20 avoid colliding with any person, cattle or other livestock. Each
21 operator of a motor vehicle shall grant the right-of-way and slow or
22 stop such vehicle if necessary to grant the right-of-way, to any person
23 guiding cattle or other livestock across the roadway within a crossing
24 path. No operator of a vehicle approaching from the rear shall
25 overtake and pass any vehicle the operator of which has stopped at
26 any crossing path marked, as provided in subsection (a) of this section,
27 to permit guided cattle or other livestock to cross the roadway. A
28 violation of this subsection shall be an infraction.

This act shall take effect as follows:	
Section 1	October 1, 2002

ENV *Joint Favorable C/R*

TRA

TRA *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Fund-Type	Agency Affected	Current FY \$	FY 03 \$	FY 04 \$
GF - Revenue Gain	Judicial Dept.	None	Potential Minimal	Potential Minimal
TF - Cost	Transportation, Dept.	None	Potential \$1,000 / crossing	Potential \$1,000 / crossing

Note: GF=General Fund; TF=Transportation Fund

Municipal Impact:

Effect	Municipalities	Current FY \$	FY 03 \$	FY 04 \$
Cost	Various Municipalities	None	Potential \$1,000 / crossing	Potential \$1,000 / crossing

Explanation

The bill allows for the creation of cattle crossings and makes failure to yield right-of-way an infraction, which is punishable by a fine of \$35 - \$90 and court fees. Any revenue gain would be minimal because few offenses are anticipated.

The bill also gives traffic authorities the power to designate crossing paths and intersections for livestock. The cost to establish a cattle crossing is estimated to be \$1,000 (including permit, signs, and markings.) Under the bill a town, city, or the State Traffic Commission may establish a cattle crossing.

OLR Bill Analysis

HB 5541

AN ACT CONCERNING CATTLE CROSSINGS**SUMMARY:**

This bill allows for the creation of distinct crossing areas for cattle and livestock by directing traffic authorities to place appropriate indicators at dangerous crossing paths and intersections used for guided cattle or livestock crossing, especially near farms. Indicators include devices, markers, or lines on the highway. A traffic authority can be that of a town or city or the State Traffic Commission.

The bill requires drivers to yield right-of-way to guided cattle or livestock crossing in designated areas by slowing or stopping. Drivers may not overtake another vehicle that stops for such a crossing. Anyone guiding cattle or livestock must yield to emergency vehicles clearly operating in an emergency situation. But, emergency vehicle drivers must exercise due caution in avoiding people and guided cattle or livestock. A violation is an infraction, which is punishable by a fine of between \$35 and \$90 (plus additional fees) that is usually set by Superior Court judges.

EFFECTIVE DATE: October 1, 2002

BACKGROUND***Related Statute***

By law, a person may display signs warning drivers that a cattle crossing is underway and drivers must slow down or stop, as necessary. A person may only display a sign just before or during the crossing. To use a sign, a person must obtain a permit from the transportation commissioner or local traffic authority. The permit specifies sign color, size, and wording. Failure to slow down or stop at a posted sign is an infraction carrying a \$60 fine.

COMMITTEE ACTION

Environment Committee

Joint Favorable Change of Reference

Yea 24 Nay 0

Transportation Committee

Joint Favorable Report

Yea 24 Nay 0